

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

<b>IN RE:</b>  <b>DAVID R. BILLSBOROUGH PATRICIA A. BILLSBOROUGH</b>  <b>Debtors.</b>  _____ /	<b>CASE NO.: 19-bk-02033-KJ</b>  <b>CHAPTER 7</b>
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**LIMITED OBJECTION TO MOTION TO SELL PROPERTY OF THE ESTATE  
(PROPERTY: 12836 JACOB GRACE COURT, WINDEMERE, FL 34786)**

COMES NOW, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MORGAN STANLEY MORTGAGE LOAN TRUST 2006-16AX, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-16AX ("Secured Creditor"), by and through undersigned counsel, hereby files its Limited Objection to Motion to Sell Property of the Estate (Property: 12836 Jacob Grace, Court, Windemere, FL 34786 ("Motion") (DE #38) and, in support thereof, states as follows:

1. Secured Creditor holds a first lien on the subject property located at 12836 Jacob Grace Court, Windemere, FL 34786 (the "Property").
2. On January 2, 2020, David R. Billsborough and Patricia A. Billsborough ("Debtors"), filed a Motion to Sell Property and Pay Secured Creditors and Transactional Costs (12836 Jacob Grace Court) requesting approval to sell the property for \$686,000.00.
3. Secured Creditor will provide an updated payoff at or near the scheduled closing of the sale.

4. Secured Creditor does not object to the Debtors' Motion to the extent that any sale is subject to Secured Creditor's lien and or short sale approval and that Secured Creditor's lien will be paid in full at the closing of said sale based upon an up to date payoff quote.
5. Secured Creditor is filing its Response in an abundance of caution, as Secured Creditor wants it to be clear that it should not be compelled to participate in a sale of the property absent payment in full of Secured Creditor's mortgage lien on the real property without being given the right to credit bid pursuant to 11 U.S.C. § 363(k).
6. Furthermore, Secured Creditor requests that failure to complete any sale within 90-days of entry of this Order will result in any Order authorizing the sale to be deemed moot.
7. Secured Creditor reserves the right to supplement this response at or prior to any hearing on this matter.

**WHEREFORE,** Secured Creditor respectfully requests entry of an order in compliance with the above requests and for such other and further relief as the Court deems just and proper.

Robertson, Anschutz & Schneid, P.L.  
Authorized Agent for Secured Creditor  
6409 Congress Ave., Suite 100  
Boca Raton, FL 33487  
Telephone: 561-241-6901  
Facsimile: 561-997-6909

By: /s/April Harriott  
April Harriott, Esquire  
FBN: 37547  
Email: aharriott@rasflaw.com

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on January 16, 2020, I caused to be electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and caused to be served a true and correct copy via CM/ECF or United States Mail to the following parties:

David R. Billsborough  
Patricia A. Billsborough  
12836 Jacob Grace Court  
Windemere, FL 34786-5711

Mark P. Cressman  
Cressman Law Firm  
13350 West Colonial Drive  
Suite 350  
Winter Garden, FL 34787

Dennis D. Kennedy  
PO Box 541848  
Merritt Island, FL 32954

Arvind Mahendru  
5703 Red Bug Lake Rd. #284  
Winter Springs, FL 32708

United States Trustee - ORL7/13, 7  
Office of the United States Trustee  
George C. Young Federal Building  
400 West Washington Street, Suite 1100  
Orlando, FL 32801

By: /s/April Harriott  
April Harriott, Esquire  
FBN: 37547  
Email: aharriott@rasflaw.com